

PATENT APPLICATION  
DOCKET NO.: 50097-00008USPT

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)**  
**DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM, APPARATUS AND METHOD FOR PROVIDING CONTROL OF A TOY VEHICLE**, the specification of which: (mark only one)

- (a) is attached hereto.
- (b) was filed on 1/08/2002 as Utility Application Serial No 10/043,361 and was amended on \_\_\_\_\_ (if applicable)
- (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.
- (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the

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application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-open or Published</u>	<u>Date patented or Granted</u>	<u>Priority Claimed</u>
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NONE

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
60/ 268,447	February 12, 2001	

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493	J. KEVIN GRAY, Reg. No. 37,141	SPENCER C. PATTERSON, Reg. No. 43,849
BENJAMIN J. BAI, Reg. No. 43,481	KEITH P. GRAY, Reg. No. 46,738	RUSSELL N. RIPPAMONTI, Reg. No. 39,521
JOSEPH M. BEAUCHAMP, Reg. No. 46,544	STEVEN R. GREENFIELD, Reg. No. 38,166	ROSS T. ROBINSON, Reg. No. 47,031
MARY JO BOLDINGH, Reg. No. 34,713	JOSHUA A. GRISWOLD, Reg. No. 46,310	STEPHEN G. RUDISILL, Reg. No. 20,087
MARGARET A. BOULWARE, Reg. No. 28,708	J. PAT HEPTIG, Reg. No. 40,643	HOLLY L. RUDNICK, Reg. No. 43,065
DANIEL J. BURNHAM, Reg. No. 39,618	SHARON A. ISRAEL, Reg. No. 41,867	J.L. JENNIE SALAZAR, Reg. No. 45,065
THOMAS L. CANTRELL, Reg. No. 20,849	JOHN R. KIRK JR., Reg. No. 24,477	JERRY R. SELINGER, Reg. No. 26,582
RONALD B. COOLLEY, Reg. No. 27,187	PAUL R. KITCH, Reg. No. 38,206	JAMES O. SKARSTEN, Reg. No. 28,346
THOMAS L. CRISMAN, Reg. No. 24,846	TIMOTHY M. KOWALSKI, Reg. No. 44,192	ZACHARY J. SMOLINSKI, Reg. No. 47,100
STUART D. DWORK, Reg. No. 31,103	HSIN-WEI LUANG, Reg. No. 44,213	GARY B. SOLOMON, Reg. No. 44,347
WILLIAM F. ESSER, Reg. No. 38,053	ROBERT W. MASON, Reg. No. 42,848	STEVE Z. SZCZEPANSKI, Reg. No. 27,957
ROGER J. FRENCH, Reg. No. 27,786	ROGER L. MAXWELL, Reg. No. 31,855	ANDRE M. SZUWALSKI, Reg. No. 35,701
JANET M. GARETTO, Reg. No. 42,568	LISA H. MEYERHOFF, Reg. No. 36,869	ALAN R. THIELE, Reg. No. 30,694
MARK GATSCHE, Reg. No. 42,569	STANLEY R. MOORE, Reg. No. 26,958	TAMSEN VALOIR, Reg. No. 41,417
JOHN C. GATZ, Reg. No. 41,774	P. WESTON MUSSELMAN JR. Reg. No. 31,644	BRIAN D. WALKER, Reg. No. 37,751
RUSSELL J. GENET, Reg. No. 42,571	RAMA B. NATH, Reg. No. 27,072	GERALD T. WELCH, Reg. No. 30,332
GERALD H. GLANZMAN, Reg. No. 25,035	DANIEL G. NGUYEN, Reg. No. 42,933	HAROLD N. WELLS, Reg. No. 26,044
LEKHA GOPALAKRISHNAN, Reg. No. 46,733	MICHAEL K. NUTTER, Reg. No. 44,979	WILLIAM D. WIESE, Reg. No. 45,217

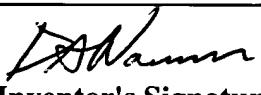
all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

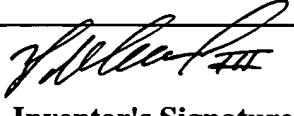
Please address all correspondence and direct all telephone calls to:

Gary B. Solomon, Esq.  
 Jenkens & Gilchrist, P.C.  
 1445 Ross Avenue, Suite 3200  
 Dallas, Texas 75202-2799  
 214/855-4500  
 214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	David A. Norman		4 March 02
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	3112 Old Mill Road Greenville, TX 75402	U.S.A.	
	<b>Residence</b> (city, state, country)	<b>Citizenship</b>	
3112 Old Mill Road Greenville, TX 75402			
<b>Post Office Address</b> (include zip code)			

2	Robert H. Mimlitch III		2002-MAR-4
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	5606 Luna Dr. Rowlett, TX 75088	U.S.A.	<b>Citizenship</b>
	<b>Residence</b> (city, state, country)		
	5606 Luna Dr. Rowlett, TX 75088		
	<b>Post Office Address</b> (include zip code)		

3	Richard Torrance	<i>Richard Torrance</i>	March 4, 2002
	<b>Full Name</b>	<b>Inventor's Signature</b>	<b>Date</b>
	5001 Peacock Greenville, TX 75402		U.S.A.
	<b>Residence</b> (city, state, country)	<b>Citizenship</b>	
5001 Peacock Greenville, TX 75402			
<b>Post Office Address</b> (include zip code)			